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SENATE BILL 736

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Joseph J. Carraro

AN ACT

RELATING TO PROCUREMENT; AMENDING A SECTION OF THE PROCUREMENT
CODE; EXPANDING THE APPLICABILITY OF COMPETITIVE PROPOSAL
CONTRACTING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 13-1-111 NMSA 1978 (being Laws 1984,
Chapter 65, Section 84, as amended) is amended to read:

"13-1-111. COMPETITIVE SEALED PROPOSALS--CONDITIONS FOR
USE. --

A. Except as provided in Subsection G of Section
13-1-119.1 NMSA 1978, when a state agency or a local public
body is procuring professional services or a design and build
project delivery system, or when the state purchasing agent, a
central purchasing office or a designee of either officer makes
a written determination that the use of competitive sealed

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1 bidding for items of tangible personal property or services is
2 either not practicable or not advantageous to the state agency
3 or a local public body, a procurement shall be effected by
4 competitive sealed proposals. Competitive qualifications-based
5 proposals shall be used for procurement of professional
6 services of architects, engineers, landscape architects,
7 construction managers and surveyors who submit proposals
8 pursuant to Sections 13-1-120 through 13-1-124 NMSA 1978.

9 B. Competitive, sealed proposals shall also be used
10 for contracts for construction associated with assured
11 environmental performance service projects for school districts
12 having fewer than fifteen thousand students and for all work
13 associated with assured environmental performance service
14 projects, including the design and construction of
15 environmental systems, acoustics, heating, cooling, electrical,
16 lighting, fire, security, maintenance, warranty and associated
17 controls. As used in this subsection, "assured environmental
18 performance service projects" means the design, construction,
19 control and warranty of heating and cooling systems."

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